

DIANA JOHNSON &
LATOYA JOHNSON

Plaintiffs,
vs.

CARTER-YOUNG, INC.

Defendants.

Case No.: 4:14-cv-00315-DGK

PROOF OF SERVICE OF NOTICE OF REMOVAL

To: A. Scott Waddell
Waddell Law Firm LLC
2029 Wyandotte Street, Suite 100
Kansas City, Missouri 64108
Attorney for Plaintiff

YOU ARE HEREBY NOTIFIED that the case of Diana Johnson & Latoya Johnson v. Carter-Young, Inc., initiated by you in the Circuit Court of Jackson County, Missouri, Kansas City Division, on or about March 10, 2014, and assigned Case No. 1416-CV05714, has on this 4th day of April, 2014, been removed to the United States District Court for the Western District of Missouri. A copy of said Notice of Removal is attached hereto and hereby served upon you.

Date: April 4, 2014.

Respectfully submitted,

FRANKEL, RUBIN, BOND, DUBIN,
SIEGEL & KLEIN, P.C.

By/s/ Mayer S. Klein
MAYER S. KLEIN, #MO32605
mklein@frankelrubin.com
Counsel for Defendant
231 South Bemiston Avenue, Suite 1111
Clayton, Missouri 63105
Telephone: (314) 725-8000
Facsimile: (314) 726-5837

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on April 4, 2014, a true copy of the foregoing was filed in the United States District Court for the Western District of Missouri, Western Division, through the Court's electronic filing system to:

A. Scott Waddell
Waddell Law Firm LLC
2029 Wyandotte Street, Suite 100
Kansas City, Missouri 64108
Attorney for Plaintiff

/s/Mayer S. Klein
MAYER S. KLEIN

DIANA JOHNSON &
LATOYA JOHNSON

Plaintiffs,
vs.

CARTER-YOUNG, INC.

Defendants.

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Case No.: 4:14-cv-315

DEFENDANT CARTER-YOUNG, INC'S NOTICE OF REMOVAL

PLEASE TAKE NOTICE THAT, pursuant to 28 U.S.C. § 1446(a) and (b), the Defendant Carter-Young, Inc. (“Defendant”), hereby removes this case to the United States District Court for the Western District of Missouri, Western Division, based on the following grounds:

THE REMOVED ACTION

1. On or about March 10, 2014, Diana Johnson and LaToya Johnson (hereinafter referred to as “Plaintiffs”) brought a civil action against Defendant in the 16th Judicial Circuit Court of Jackson County, Missouri.

FEDERAL QUESTION

2. This action is removable to the United States District Court under 28 U.S.C. §§ 1331 and 1441 on the grounds of federal question jurisdiction, in that the complaint purports to allege a cause of action under the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692, *et seq.*

THE VENUE REQUIREMENT IS SATISFIED

3. Venue of this removal is proper under 28 U.S.C. § 1441(a) because this Court is the United States District Court for the district and division corresponding to the place where the State Court action is pending.

THE REMOVAL IS TIMELY

4. Pursuant to 28 U.S.C. § 1446(b), this Notice of Removal is filed within thirty (30) days after Defendant's receipt of the initial pleadings setting forth the claim for relief upon which this action is based.

PAPERS FROM REMOVED ACTION

5. Pursuant to 28 U.S.C. § 1446(a), attached hereto as Exhibit "A" are copies of the following documents which are all the process, pleadings and orders received by Defendant in this action.

FILING OF REMOVAL PAPERS

6. Under 28 U.S.C. § 1446(d), written notice of the removal of this action has been given simultaneously to Plaintiff's counsel, and a Notice to Clerk of removal has been simultaneously filed with the 16th Judicial Circuit Court of Jackson County, Missouri.

7. Upon receipt of this Notice, no further action shall be taken in the 16th Judicial Circuit Court of Jackson County, Missouri.

WHEREFORE, Defendant Carter-Young, Inc. does hereby remove the above captioned action from the 16th Judicial Circuit Court of Jackson County, Missouri, and requests that further proceedings be conducted in this Court as provided by law.

Respectfully submitted this 4th day of April 2014.

FRANKEL, RUBIN, BOND, DUBIN,
SIEGEL & KLEIN, P.C.

By: /s/ Mayer S. Klein
MAYER S. KLEIN, #MO32605
mklein@frankelrubin.com
Counsel for Defendant
231 South Bemiston Avenue, Suite 1111
Clayton, Missouri 63105
Telephone: (314) 725-8000
Facsimile: (314) 726-5837

CERTIFICATE OF SERVICE

This is to certify that on April 4, 2014, I have filed electronically a copy of the within and foregoing Defendant's Notice of Removal in the United States District Court for the Western District of Missouri, Western Division through the Court's electronic filing system to:

A. Scott Waddell
Waddell Law Firm LLC
2029 Wyandotte Street, Suite 100
Kansas City, Missouri 64108
Attorney for Plaintiff

/s/ Mayer S. Klein
MAYER S. KLEIN